

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

JAMES M. McNAMARA,

Plaintiff,

v.

**HESS CORP. & HESS OIL VIRGIN
ISLANDS CORP.,**

Defendants.

1:20-cv-00060-WAL-GWC

TO: **Korey A. Nelson, Esq.**
C. Jacob Gower, Esq.
Robert J. Kuczynski, Esq.
Carl A. Beckstedt, III, Esq.
Michael A. Rogers, Esq.
Carolyn F. O'Connor, Esq.
Joseph T. Hanlon, Esq.
Michael F. Williams, Esq.

ORDER

THIS MATTER is before the Court upon the parties' Stipulation of Partial Stay Pending Resolution of Plaintiff's Motion to Remand (ECF No. 102).

Having reviewed the stipulation and upon due consideration thereof, the Court will accept and grant the stipulation.

Accordingly, it is now hereby **ORDERED**:

1. The parties' Stipulation of Partial Stay Pending Resolution of Plaintiff's Motion to Remand (ECF No. 102) is **ACCEPTED AND GRANTED**, except as noted herein following.

2. All discovery in the above-captioned proceeding, except for the two items addressed herein following, is **STAYED** until a ruling has been issued on Plaintiff's Motion to Remand This Action to the Superior Court of the Virgin Islands on the Basis that HONYC Was Collusively Joined to Manufacture Federal Diversity Jurisdiction (ECF No. 99) or until further order of the Court.
3. Notwithstanding the stay, the following discovery may proceed:
 - a. the defense medical examination of Plaintiff shall proceed as scheduled (or be scheduled as necessary);
 - b. Plaintiff, as well as any identified co-workers of Plaintiff, may be deposed in February, March, and/or April 2022, by mutual agreement of counsel.
4. The preceding discovery allowed during the stay may be used (subject to applicable rule) regardless of the court in which this case ultimately proceeds.
5. In the event the said motion to remand is denied, the Court will set a conference to discuss new scheduling deadlines.

ENTER:

Dated: December 13, 2021

/s/ George W. Cannon, Jr.
GEORGE W. CANNON, JR.
U.S. MAGISTRATE JUDGE